

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:06CV310-H**

**MEINEKE CAR CARE CENTERS, INC.,)**

**Plaintiff,**

**v.**

**DALE CLIETT,**

**Defendant,**

**ORDER SETTING HEARING**

**THIS MATTER** is before the Court on the Plaintiff's "Motion for Preliminary Injunction" (document #2) and "Memorandum ... in Support ..." (document #4), both filed July 28, 2006; and the Defendant's "Memorandum ... in Opposition" (document #15) filed September 22, 2006. On October 6, 2006, the Plaintiff filed its "Reply ..." (document #18).

The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and the Plaintiff's Motion is now ripe for an evidentiary hearing.

**NOW, THEREFORE, IT IS ORDERED:**

1. The Plaintiff's "Motion for Preliminary Injunction" (document #2) is set for an evidentiary hearing on Tuesday, November 21, 2006, at 9:30 a.m. in Courtroom #1, United States Courthouse, 401 West Trade Street, Charlotte, North Carolina.

2. The parties and their counsel are encouraged to continue to discuss the issues raised in the Plaintiff's Motion for Preliminary Injunction, and shall promptly inform the Court should those issues be resolved prior to the scheduled hearing.

3. The Clerk is directed to send copies of this Order Setting Hearing to counsel for the parties.

**SO ORDERED.**

Signed: October 10, 2006

*Carl Horn, III*

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Carl Horn, III  
United States Magistrate Judge

